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sequently formed. But where one obtains possession of property by fraud, or by a tortious taking, a few jurisdictions maintain that a subsequent intent to appropriate the property will serve to convict the defendant. *State v. Coombs* (1868) 55 Me. 477; *Commonwealth v. White* (1853) 65 Mass. 483; *contra, Cady v. State* (1898) 39 Tex. Cr. Rep. 236, 45 S. W. 568; *State v. Riggs* (1902) 8 Idaho 630, 70 Pac. 947. These cases impliedly accept the common law rule that the taking and intent must be concurrent, but satisfy this requirement by adopting the old English doctrine of "continuing trespasses" laid down in *Regina v. Riley* (1853) 1 Dearsly's C. C. 149. The basis of this rule is that a new trespass on the owner is committed at every instant that the taker has possession. The result is that when the felonious intent arises the taking and intent are concurrent. See *State v. Coombs, supra*. But this doctrine fails to recognize that after the first taking, no trespass can be committed save on the possession of the taker. Because of its artificial character, it has been repudiated by most courts. See *Cady v. State, supra*; *State v. Riggs, supra*. Many jurisdictions by statute prefer to dispense with the rule requiring concurrence of taking and intent rather than to stretch the common law by the anomalous doctrine of "continuing trespasses". See *Davis v. State* (1898) 54 Neb. 177, 74 N. W. 599. It is submitted that the instant case can be supported neither on theory nor by the weight of authority.

WORKMEN'S COMPENSATION LAWS—ILLEGITIMATE CHILDREN—COMPENSATION FOR DEATH OF PUTATIVE FATHER.—The Maine statute, Me. Rev. Stat. c. 50, entitles to compensation "dependents of the employee" and defines dependents as "members of the employees family * * * who are wholly or partly dependent upon * * * the employee for support at the time of the injury", with a conclusive presumption of entire dependency on behalf of "a child or children * * * upon the parent with whom he is or they are living". Deceased's four illegitimate children were living with him and their mother and were wholly dependent upon him for support at the time of his injury and death. *Held*, although not "children" in the statutory sense, they were entitled to compensation. *Scott's Case* (Me. 1918) 104 Atl. 794.

Workmen's compensation acts are based on the principle that the risk of injury to a worker is a social one, the losses from which should be borne by the community, 1 Honnold, Workmen's Compensation § 2; see *Lindebauer v. Weiner* (1916) 94 Misc. 612, 159 N. Y. Supp. 987. Hence such acts should be interpreted liberally, to the end of securing the benefits they were intended to accomplish. *In re Petrie* (1915) 215 N. Y. 335, 109 N. E. 549; *In re Panasuk* (1914) 217 Mass. 589, 105 N. E. 368; *contra, Andrejwski v. Wolverine Coal Co.* (1914) 182 Mich. 298, 148 N. W. 684. It is specifically provided in some compensation acts that illegitimate children shall share in their benefits, N. J. Comp. Stat. 1st Supp. 1645; 6 Edw. 7, c. 58, § 13, and in England, where this is the case, compensation has been allowed even to a posthumous illegitimate child. *Schofield v. Orrell Colliery Co.* [1909] A. C. 433. However, "child" or "children" as used in the statutes is construed to exclude illegitimate children. *Bell v. Terry & Tench Co.* (1917) 177 App. Div. 123, 163 N. Y. Supp. 733; *cf. Splitdorf Electrical Co. v. King* (1917) 90 N. J. L. 421, 103 Atl. 674. Hence, in the principal case, dependency cannot be conclusively presumed. But the

term "family" means a collection of persons who live in one house and under one head, in a domestic relationship, *Robbins v. Bangor Ry. & Electric Co.* (1905) 100 Me. 496, 62 Atl. 136; *In re Cowden* (1916) 225 Mass. 66, 113 N. E. 1036, and has been held to include illegitimate children living with their putative father. *Roberts v. Whaley* (1916) 192 Mich. 133, 158 N. W. 209; *Rutherford v. Mothershed* (1906) 42 Tex. Civ. App. 360, 92 S. W. 1021. A "dependent" is one who looks to another for support; who is dependent upon him for the ordinary necessities of life; *Honnold, op. cit.* § 70; *Tirre v. Bush Terminal Co.* (1916) 172 App. Div. 386, 158 N. Y. Supp. 883; and actual dependency is a question of fact. *Walz v. Holbrook, etc. Corp.* (1915) 170 App. Div. 6, 155 N. Y. Supp. 703. In view of the above conceptions of "family" and "dependent", and of the purpose of the act, it is submitted that the principal case is correctly and justly decided. *Roberts v. Whaley, supra.*